23646-

SURFACE TRANSPORTATION BOARD

ALVORD AND ALVORD ATTORNEYS AT LAW 1050 SEVENTEENTH STREET, N.W. SUITE 301

Washington, D.C.

ELIAS C. ALVORD (1942)

20036

OF COUNSEL URBAN A. LESTER

ELLSWORTH C. ALVORD (1964)

(202) 393-2266 FAX (202) 393-2156 E-MAIL alvordlaw@aol.com

August 25, 2006

Mr. Vernon A. Williams Secretary Surface Transportation Board Washington, D.C. 20423

Dear Mr. Williams:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) are two (2) copies of a Notice, dated as of August 24, 2006, a secondary document as defined in the Board's Rules for the Recordation of Documents.

The enclosed document relates to the Memorandum of Railcar Lease Agreement previously filed with the Board under Recordation Number 23646.

The new names and addresses of the parties to the enclosed document are:

Lessor:

Bombardier Capital Rail Inc.

(f/k/a NorRail, Inc.)

12735 Gran Bay Parkway West

**Suite 1000** 

Jacksonville, FL 32258

Lessee:

Nu-Gro Technologies, Inc.

10 Craig Street

Brantford, Ontario, N3R 7J1

Canada

Mr. Vernon A. Williams August 25, 2006 Page 2

A description of the railroad equipment covered by the enclosed document is:

There is no new or additional equipment associated with this filing.

A short summary of the document to appear in the index is:

Notice.

Also enclosed is a check in the amount of \$34.00 payable to the order of the Surface Transportation Board covering the required recordation fee.

Kindly return stamped copies of the enclosed document to the undersigned.

Very truly yours,

Robert W. Alvord

RWA/sem Enclosures

## **BOMBARDIER**

August 24, 2006

Mr. Vernon A. Williams Secretary Surface Transportation Board Washington, D.C. 20423 TELORDATION NO. 23646 - FILED

Dombardier Capital Rail Inc. 12735 Gran Bay Parkway West

Suite 1000

Jacksonville, FL 32258 United States www.bombardier.com

a. (904) 288-1000

SURFACE TRANSPORTATION BOARD

FAX (904) 288-2155

Re:

Memorandum of Railcar Lease Agreement, dated as of December 15, 2000 between Bombardier Capital Rail Inc., Lessor, and SCU Nitrogen, Inc., Lessee filed with the Board on September 13, 2001 at 2:48 p.m. under Recordation Number 23646

AUG 25 '06

(BCRI Owned Railcars)

Dear Mr. Williams:

With reference to the railroad equipment covered by the recordation shown above, we wish to advise that the Lessee has assigned its interest to another entity. Please update the record to reflect that the current lessee is Nu-Gro Technologies, Inc.

Please file this change under the Recording Number shown above.

Very truly yours,

**Catherine Hawks** 

Senior Attorney

STATE OF FLORIDA )

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SS.

COUNTY OF DUVAL)

On this 24th day of August, 2006, before me appeared Catherine Hawks, to me personally known, who, being duly sworn did say that she is the Senior Attorney of BOMBARDIER CAPITAL RAIL INC. (f/k/a NorRail, Inc.), and that said instrument was signed on behalf said corporation by authority of its board of directors and she acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

**NOTARY PUBLIC** 

My Commission Expires: 7-1-2010

